

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL No. 05-30042 MLW

UNITED STATES OF AMERICA)	
)	DEFENDANT'S REQUEST FOR
v.)	JURY VOIR DIRE QUESTION
)	
RICARDO DIAZ)	

NOW comes the defendant herein, Ricardo Diaz, and respectfully requests that the jury be asked the following on voir dire:

"In the event a law enforcement official and a civilian witness testify differently from one another about the same events, would you be inclined to believe the law enforcement officer rather than the civilian witness?"

The defendant states as grounds the following:

1. This voir dire question, or its substantial equivalent, is required upon request. United States v. Aganos, 853 F. 2d 1, 4 (1st Cir. 1988).
2. If the case agent is to be seated at counsel table during this trial, such a question is important to preserve the defendants' due process right to a fair trial.

Wherefore the defendant respectfully requests that the above-described relief be granted.

DATED: August 30, 2006

Respectfully submitted,
Ricardo Diaz, Plaintiff

By: /s/ Terry Scott Nagel
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 12, 2006.

/s/ Terry Scott Nagel